

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

Case No. 17-cr-175-pp

v.

MICHAEL W. DAVIS,

Defendant.

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**ORDER DENYING DEFENDANT'S FOURTH MOTION FOR BOND  
(DKT. NO. 221)**

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On February 24, 2019, the defendant filed his fourth motion for release on bond. Dkt. No. 221. As the court noted in its text-only order of February 25, 2019, most of the information in that motion was not new, and the court was aware of it when it denied his prior motions. Dkt. No. 222. What *was* new, the court noted, was that the defendant had been detained for some seventeen months, the defendant had not filed any pretrial motions by the deadline and the defendant indicated that he hadn't received a plea offer from the government. Id. The court asked the government to respond to the motion.

The government responded that while the defendant had not filed any pretrial motions, one of his co-defendants had. Dkt. No. 224 at 2. That motion is still in litigation. The government also explains that while it hadn't provided the defendant with a plea offer as of the time the defendant filed his fourth bond motion, the defendant never had indicated that he was interested in pleading. Id. The government also correctly notes that whether the government

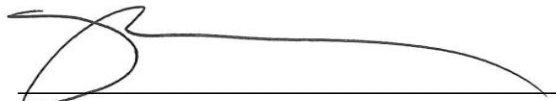
has tendered a plea offer isn't a factor in the court's decision about whether to release a defendant on bond. Id. (The government since has provided the defendant with an offer. Id.) Finally, the government points out that this case has been designated as complex and investigation is on-going. Id. The government reiterates the position it has stated all along—that the defendant is a danger to the community, and that there is a presumption of detention. Id.

The government is correct that the defendant has presented no new evidence to demonstrate that there are conditions of bond that would mitigate his danger to the community. If the defendant produces such new evidence, the court will consider it.

The court **DENIES** the defendant's fourth motion for bond. Dkt. No. 221.

Dated in Milwaukee, Wisconsin this 14th day of March, 2019.

**BY THE COURT:**

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**